

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS LOCAL 98  
PENSION FUND on behalf of itself and all  
others similarly situated,

Plaintiff,

vs.

DELOITTE & TOUCHE, LLP;  
DELOITTE LLP,

Defendants.

Case No. 3:19-cv-3304

**CLASS ACTION**

**LEAD PLAINTIFF'S MOTION FOR CLASS CERTIFICATION, APPOINTMENT OF  
CLASS REPRESENTATIVE, AND APPOINTMENT OF CLASS COUNSEL**

COHEN MILSTEIN SELLERS & TOLL PLLC

Laura H. Posner

Ji Eun Kim (Jessica)

88 Pine Street, 14th Floor

New York, New York 10005

Tel.: (212) 838-7797

Fax: (212) 838-7745

lposner@cohenmilstein.com

jekim@cohenmilstein.com

Steve J. Toll

Jan Messerschmidt

Molly J. Bowen

1100 New York Avenue, N.W., Fifth Floor

Washington, D.C. 20005

Tel.: (202) 408-4600

Fax: (202) 408-4699

stoll@cohenmilstein.com

jmesserschmidt@cohenmilstein.com

mbowen@cohenmilstein.com

*Attorneys for Lead Plaintiff and the Class  
and Proposed Class Counsel*

TINKLER LAW FIRM LLC

William Tinkler (D.S.C. Bar Number 11794)

154 King Street, Third Floor

Charleston, SC 29401

Tel.: (843) 853-5203

Fax: (843) 261-5647

williamtinkler@tinklerlaw.com

*Attorney for Lead Plaintiff and the Class  
and Proposed Liaison Counsel*

Lead Plaintiff International Brotherhood of Electrical Workers Local 98 Pension Fund (“Lead Plaintiff” or “IBEW Local 98 Pension Fund”) submits this memorandum of law in support of its motion to (i) certify this action as a class action pursuant to Federal Rule of Civil Procedure 23; (ii) appoint IBEW Local 98 Pension Fund as Class Representative; and (iii) appoint Cohen Milstein Sellers & Toll PLLC (“Cohen Milstein”) as Class Counsel and Tinkler Law Firm LLC as Liaison Counsel.

In support of this motion, Lead Plaintiff submits the accompanying Memorandum of Law, the Expert Report of Matthew D. Cain, Ph.D, and firm resumes of Cohen Milstein and Tinkler Law Firm LLC.

**CERTIFICATION PURSUANT TO LOCAL RULE 7.02**

Pursuant to Local Rule 7.02, counsel for Lead Plaintiff certifies that, prior to filing the instant motion, they held a telephonic conference with Defendants’ counsel and attempted in good faith to resolve the matter contained in the Motion. However, the parties were unable to resolve this matter absent Court intervention.

Dated: April 30, 2021

Respectfully submitted,

/s/ William Tinkler

William Tinkler (D.S.C. Bar Number 11794)  
TINKLER LAW FIRM LLC  
154 King Street, Third Floor  
Charleston, SC 29401  
Tel.: (843) 853-5203  
Fax: (843) 261-5647  
williamtinkler@tinklerlaw.com

COHEN MILSTEIN SELLERS & TOLL  
PLLC

Laura H. Posner  
Ji Eun Kim (Jessica)  
88 Pine Street, 14th Floor  
New York, New York 10005  
Tel.: (212) 838-7797

Fax: (212) 838-7745  
lposner@cohenmilstein.com  
jekim@cohenmilstein.com

Steven J. Toll  
Jan Messerschmidt  
Molly J. Bowen  
1100 New York Avenue, N.W., Fifth Floor  
Washington, D.C. 20005  
Tel.: (202) 408-4600  
Fax: (202) 408-4699  
stoll@cohenmilstein.com  
jmesserschmidt@cohenmilstein.com  
mbowen@cohenmilstein.com

*Attorneys for Lead Plaintiff and the Class*

**CERTIFICATE OF SERVICE**

I certify that on April 30, 2021, I electronically filed the foregoing Motion using the Court's CM/ECF system. A copy of this filing will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ William Tinkler

William Tinkler